

**PREAMBLE  
TO THE  
SUPERINTENDENT'S COMPENDIUM  
2003**

**WESTERN ARCTIC NATIONAL PARKLANDS  
Bering Land Bridge National Preserve  
Cape Krusenstern National Monument  
Kobuk Valley National Park  
Noatak National Preserve**

**PREAMBLE**

The proposed compendium was available for comment from January 1 – February 15, 2003. The following preamble addresses comments received by the park on the proposed compendium. Groups or organizations who commented are identified in the discussion.

**GENERAL COMMENTS:**

**Determinations:**

The State of Alaska (State) pointed out that the Parks deal with determinations differently and has asked for more consistency, suggesting that a separate document be created to list the determinations.

The National Park Service (NPS) believes that incorporating the determinations in the existing compendium helps the public understand the issue and would prefer to incorporate the determinations where possible. If a written determination is too lengthy to be incorporated the park will indicate that a full determination is available upon request or simply attach the determination to the compendium.

**Limit applicability to Federal Lands**

The State contends that these compendium regulations only apply to park lands. They have requested a statement to that effect early in the compendium.

The limitations of the regulations and the compendium are carefully articulated in Title 36 CFR Sections 1.2 and 13.2 – Applicability and Scope - and do not require further elaboration or interpretation.

**Compendiums as educational tools:**

The State commented that the compendia may be a type of educational tool and supports the use of the compendia in that effort.

The NPS believes that while this is not the basic purpose of the compendiums, the NPS is supportive of the State's desire to see the document used for education.

## **36 CODE OF FEDERAL REGULATIONS SPECIFIC COMMENTS:**

### **1.6 Permits**

Comment was received from the State indicating that there are inconsistencies among the various compendiums. Some of these inconsistencies are editorial in nature while others are due to park specific differences. Editorial inconsistencies will be corrected.

### **2.1 (a) ( 5) Designated areas for walking or climbing on cultural sites.**

The State has requested consistent wording where specific issues do not need to be addressed for a specific park. The NPS believes that consistency can be achieved by adopting the following:

“There are no designated areas. Walking and climbing on archeological and cultural resource sites is prohibited.”

### **2.1 (b) Designated trails**

The State of Alaska suggests using the words “No restrictions on walking or hiking.”

The NPS agrees with the State’s suggestion.

### **2.1 (c) (1-3) Designated fruits and berries, to harvest by hand**

The State of Alaska has suggested some default language in this section. The NPS believes that the parks can use the following:

“All edible fruits, berries, nuts and unoccupied seashells may be gathered by hand for personal use or consumption.” The section on unoccupied seashells may not apply to all parks.

The State of Alaska has suggested that the ANILCA parks adopt uniform wording for 13.20(b)(1) and 13.49(b). The NPS believes that it is necessary to address the two separately authorized user groups and will continue to address federally qualified subsistence users separately.

### **2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through park areas.**

The State of Alaska has suggested consistent wording of this section. The park agrees to the State’s proposal and will adopt the suggested wording.

### **2.2(e) Designated areas for wildlife viewing with artificial light.**

The State of Alaska suggested adopting the Gates of the Arctic compendium entry. After consideration the areas where hunting is allowed agree to adopt the following modified version of the Gates of the Arctic compendium:

“No areas designated for closure. For sport hunting in the Preserve, state law prohibits the use of artificial light. Federal subsistence hunting regulations provide for the use of artificial light in some circumstances (50 CFR Part 100).”

Those parks without hunting will provide “No areas designated for closure.”

### **2.3 (a) Fishing**

The State of Alaska has suggested adoption of compendium entries that will bring the NPS fishing regulations in Alaska into conformity with State Regulations. The Alaska specific regulation permitting fishing in park areas, 36 CFR 13.2, adopts applicable State and Federal law to the extent not inconsistent with 36 CFR 2.3. The NPS believes that any compendium entries must continue to be consistent with the regulations in Section 2.3.

### **2.3 (d)(2) Waters Open to Bait Fishing in Fresh Water**

Same comment as found under 2.3 (a).

### **2.3 (d)(8) Designated areas open for fishing from public boat docks, bridges, etc.**

The State comments concerned wording used that could imply that the NPS may use this section beyond what is appropriate.

In order to clarify this section the header will be changed to “Designated areas open for fishing from motor road bridges and public boat docks.” For those areas designating an opening, where possible the wording will be:

“All areas are designated as open for fishing from motor road bridges and boat docks.”

### **2.4(a)(2)(ii) Target Practice**

The State of Alaska has suggested specific wording for this section. After considering the comment and the regulation, the NPS has concluded that the subsection can only authorize a target practice facility in a park area by special regulation. Since no special regulations exist, the NPS will delete this entire section from the compendiums because 2.4(a)(2)(ii) does not authorize a compendium action.

### **2.10(d) Food Storage designated areas and methods**

The State of Alaska suggested two options. The NPS is adopting a modification of the State’s proposal in Appendix B of their letter. There is a value to consistency where possible and the NPS suggests further work on this issue in conjunction with the State. The NPS recognizes that some variation will continue to exist because of differing environments, but where possible the parks will attempt to be consistent by using the language proposed by Kenai Fjords as a basis for the language in this section.

### **2.13(a)(1) Fires**

The State of Alaska has proposed specific wording to expand the wording of Kenai Fjords compendium. The NPS agrees to the state’s proposal as modified (replacing “pit” with “site”:

“All trash (tin foil, burnt food, glass, and cans) must be removed from the fire site after use.”

**2.14(a)(5) Sanitation-Designated areas for bathing and washing.**

The State of Alaska has proposed deleting the phrase “No designated areas.” The wording about designated areas is needed so that language complies with the specific regulation. Where needed, in parks with public facilities, the additional explanatory language suggested by the State could be adopted to help educate the public.

“No designated areas; therefore unless allowed by the Superintendent, bathing and washing of cooking utensils, food and other property at all public water outlets, fixtures, or pools is prohibited.”

**2.14(a)(7) Sanitation designated areas for disposal of fish remains.**

Similar comments to 2.14(a)(5) above. Parks will adopt the language suggested by the State where applicable.

**2.14(a)(9) Human waste disposal in nondeveloped areas.**

The State of Alaska has suggested uniformity of distance in the compendium entries, where possible, and has suggested a standard of 100 feet as the appropriate distance from water, campsite, or a trail. The NPS agrees that where physically possible a uniform distance could be adopted but would like to work further with the State to consider national research and standards on this issue in determining the most appropriate distance. The default distance in parks is 100 feet with the exception of Gates of the Arctic which has previously established a 200 foot standard.

For ease of reading the distance from water and the depth of burial have been combined in the same sentence and will continue to address the issue under 2.14(a)(9).

**2.14(b) Carrying out human waste**

The State of Alaska commented to 2.14(a)(9); however, these conditions are more appropriately addressed under 2.14(b)

The State has suggested that the parks provide options for the disposal of toilet paper including permitting the practice of burial, burning or carrying out toilet paper. The parks are reluctant to endorse burial of toilet paper as an appropriate method of disposal. Burning may not be appropriate in certain areas given fire danger in specific areas. Carry out remains the preferred option for disposal in most areas.

The State of Alaska specifically commented on Western Arctic National Parklands entry under 2.14(a)(9). The State would like to see human waste at least minimally covered and would like a more specific determination on what is considered remote. The park discussed this matter and determined that any amount of ground disturbance could cause an archeological site disturbance. Therefore the State’s recommendation could not be adopted. The question of what is considered remote has been addressed as any place without an outhouse.

**2.15(a)(1) Pets**

The State of Alaska has suggested adopting a phrase from the regulation to go beyond the phrase “no additional conditions at present.” The Parks believe that it is more appropriate for the public to refer to the regulation for the entire list of conditions that are applied to pets in the parks and but have agreed to modify the entry to read:

This regulation section contains restrictions, such as “Pets must be leashed or otherwise physically restrained,” and therefore there are no additional conditions.

### **2.18 Snowmachine Use**

The Wilderness Society and co-signers The National Parks Conservation Association, The Alaska Quiet Rights Coalition, and the Alaska Center for the Environment commented that the wording of 2.18 must be clarified to ensure that readers are aware that all areas are closed to snowmachine use under this section. The authors of this comment are correct.

The NPS proposes to alter the language to read “No areas designated for snowmachine use” and where applicable the following may be added:

“Superseded in part by 43 CFR 36.11 Special access.  
Superseded by 36 CFR 13.46 for subsistence uses.”

The “(Non-traditional Activities)” in the header will also be deleted.

### **2.19(a) Winter Activities**

The State of Alaska has suggested default language where no park specific issues exist. Some parks presently state “no designated areas.” The State suggests “All areas are open to winter use.”

The NPS agrees that the language could be confusing. In those areas with no parking areas or roads the respective compendiums will state that this section does not apply. Those areas that do not allow skiing, snowshoeing, etc on roads and parking areas open to vehicle traffic will state:

“Roads and parking areas open to vehicle traffic in the winter are not designated as open to winter activities.”

### **2.60 Grazing**

The State of Alaska commented that the Parks adopt consistent language for this section unless park specific issues need to be addressed. The NPS agrees and will adopt the States’ suggested language.

### **2.62 (b) Memorialization – designation of areas for scattering ashes:**

The State of Alaska has commented that most park areas do not require a permit for the scattering of ashes and questions the need for a permit. The parks that presently require a permit will reconsider the need for permitting. In large natural areas the scattering of

ashes will generally be allowed without a permit; however parks with significant developed areas may choose to require a permit for the developed areas.

### **3.20(a) Waterskiing**

The State of Alaska has suggested “No restrictions at present.” In many cases the parks do not see waterskiing as a significant activity; however, where it is necessary to address the activity the parks believe that designating the appropriate waters is consistent with the requirements of the regulations. For consistency, these parks will state:

“All waters are designated as open.”

### **13.17(e)(5)(i) Designated cabins for general public use.**

The State has recommended that in areas where public cabins exist and are not under public use permit the parks adopt language giving the public short term authority to use the cabins for up to 14 days. The parks discussed this issue and found that there are significant differences in cabin management between the parks in Alaska for a variety of reasons. The NPS believes that this issue cannot be addressed with default general language and must be addressed on a park-by-park basis.

### **13.19(b) Carrying Firearms**

The NPS appreciates the State of Alaska’s comments on the present regulations and the willingness to assist the parks in resolving the issue.

### **13.22 Abandoned and Unattended personal property.**

The State of Alaska has commented that the NPS should adopt uniform treatment of caches. The parks will continue to work toward wording that can be applied to more than one area. Some parks believe that it is necessary to make allowances for differences between developed areas or areas with mountaineering concerns or other special concerns. These issues will be covered in the specific park’s determinations.

Western Arctic National Parklands has modified the uniform wording slightly to represent special concerns. Due to the parklands extensive size and distance from available fuel sources, it was determined that fuel caches will not be limited to one location. It was also determined that a Special Use Permit may be obtained from the Superintendent for unique or special circumstances including (but not limited to) larger amounts of fuel stored in caches and caches stored longer than 4 months.

### **13.30(d)(2) Camping**

The State of Alaska has commented that it believes special regulations are needed to improve restrictions on camping. The NPS appreciates the States discussion of this issue and proposes to refer to the existing State regulations in the development of Federal regulations.

### **13.69(a)(2) Customary trade of handicraft articles made from plant materials**

The State of Alaska has proposed that the NPS support the adoption of a special regulation allowing the customary trade of handicraft articles similar to the Kobuk

Valley specific regulation. The NPS has been reviewing its regulation of customary trade, and agrees that there may be a need for some modifications to accommodate customary and traditional activities.

**36.11(f)(3)(ii) Salvage of downed aircraft**

The State of Alaska commented in support of the general provision in most compendiums which details the requirement for a permit prior to salvaging downed aircraft.

**36.11(g)(1) ORVs on established trails.**

The NPS appreciates the State's comments regarding ORV use. We believe that the differences in the treatment of this issue between the individual parks reflect the differences in existing use patterns and differing management plans.

**WESTERN ARCTIC NATIONAL PARKLANDS**  
**Bering Land Bridge National Preserve**  
**Cape Krusenstern National Monument**  
**Kobuk Valley National Park**  
**Noatak National Preserve**

**COMPENDIUM**  
**2003**

National Park Service (NPS) regulations applicable to the protection and equitable public use of units of the National Park System grant specified authorities to a park superintendent to allow or restrict certain activities. NPS regulations are found in Titles 36 and 43 of the Code of Federal Regulations (CFR) and created under authority and responsibility granted the Secretary of Interior in Titles 16 and 18 of the United States Code. The following compendium comprises a listing of all NPS regulations that provide the Superintendent with discretionary authority to make designations or impose public use restrictions or conditions. The larger body of NPS regulations that do not provide discretionary authority to the Superintendent is not cited in this compendium. A complete and accurate picture of regulations governing use and protection of these units can only be gained by viewing this compendium in context with the full body of applicable regulations found in Titles 36 and 43 CFR. *Please write Western Arctic National Parklands, P.O. Box 1029, Kotzebue, Alaska 99752 or call (907)442-3890 for questions relating to information provided in this compendium.*

**TITLE 36 CODE OF FEDERAL REGULATIONS**

**PART 1. GENERAL PROVISIONS**

**1.5 Closures and public use limits**

**(a)(1) Visiting hours, public use limits, closures**

See specific sections in this document for additional information regarding closures, visiting hours, and public use limits.

**(a)(2) Designated areas for specific use or activity or conditions**

See specific sections in this document for additional information regarding designated areas and conditions for engaging in certain activities.

**1.6(f) Compilation of activities requiring a permit**

- Scientific research, (1.5)
- Collecting research specimens, (2.5)
- Operating a power saw in developed areas, (2.12(a)(2))
- Operating a portable motor or engine in undeveloped areas, (2.12(a)(3))
- Operating a public address system, (2.12(a)(4))
- Air delivery, (2.17(a)(3))



- Noncommercial soliciting, (2.37)
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, (2.38(a))
- Special events, (2.50(a))
- Public assemblies and meetings, (2.51(a))
- Sale and distribution of printed matter, (2.52(a))
- Grazing, (2.60(a)(1),(2)); reindeer grazing, (2.60(a)(1), re: 16 USC 410hh, 25 USC 500)
- Residing on federal lands, (2.61(a))
- Installing a monument or other commemorative installation, (2.62(a))
- Commercial notices or advertisements, (5.1)
- Commercial operations, (5.3)
- Commercial photography or filming, (5.5)
- Construction or repair of any building, structure, facility, road, trail, or airstrip on federal lands, (5.7)
- Mining operations (9.9(a)) or an approved Plan of Operations (in lieu of permit)
- Abandoned property, leaving property unattended for over 12 months, (13.22(b))
- Cabins on federal lands-
  - ◊ General use and occupancy, (13.17(e)(1), (2))
  - ◊ Commercial fishing, (13.17(e)(3))
  - ◊ Subsistence-exclusive use, (13.17(e)(4)(i))
  - ◊ Temporary (over 14 days) facilities in Preserve for taking of fish and wildlife, (13.17(e)(7))
  - ◊ Cabins otherwise authorized by law, (13.17(e)(8))
- Subsistence use in national parks or monuments by a person who does not live within the boundary of the national park or monument or a resident zone community, (13.44(a))
- Using aircraft access for subsistence activities in the Park, (13.45(a), 13.45(b)(1), 13.73(a)(1))
- Cutting of live standing timber greater than 3 inches in diameter for non-commercial subsistence uses, (13.49(a)(1))
- Access to inholdings where access is not made by aircraft, snowmachine, motorboat or non-motorized surface transportation, (43 CFR 36.10(b))
- Temporary access across federal land for survey, geophysical or exploratory work, (43 CFR 36.12(c))
- Salvaging, removing, possessing aircraft, (43 CFR 36.11 (f)(3)(ii))
- Helicopter landings, (43 CFR 36.11(f)(4))
- Off-road vehicle (ORV) use, (43 CFR 36.11(g)(2))

## **PART 2. RESOURCE PROTECTION, PUBLIC USE AND RECREATION**

### **2.1(a)(4) Designated areas for collection of dead and downed timber for firewood**

Superseded by 13.20(b)(4) and 13.49(b).

\*13.20(b)(4) allows the collection of dead or downed timber by hand for personal use for firewood.

\*13.49(b) allows federally qualified subsistence users to collect dead or downed timber for firewood.

### **2.1(a)(5) Designated areas and conditions for walking, climbing on archeological cultural resource sites**

There are no designated areas at present. Walking and climbing on archeological and cultural resource sites is prohibited.

### **2.1(b) Designating trails**

No restrictions on walking or hiking at present.

### **2.1(c)(1-3) Designated fruits and berries, to harvest by hand**

Superseded by 13.20(b)(1) and 13.49(b).

\*13.20(b)(1) allows the collection of fruits, berries, mushrooms, and other natural plant food items by hand for personal use.

\*13.49(b) allows federally qualified subsistence users to collect fruits, berries, mushrooms, and other natural plant food items.

### **2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through park areas**

Hunters are required to identify themselves and the location where the wildlife that is being transported across park/preserve land was taken when requested by a park ranger. Identification of the site may consist of specific directions, maps, or upon request the hunter may be required to accompany the ranger to the location to verify the kill site.

*This requirement is intended to allow transport of legally taken game across Park/Monument lands.*

### **2.2(e) Designated areas for wildlife viewing with artificial light**

No areas designated for closure. For sport hunting in the Preserve, state law prohibits the use of artificial light. Federal subsistence hunting regulations provide for the use of artificial light in some circumstances (50 CFR Section 100).

### **2.3(d)(2) Fresh waters designated as open to bait fishing with live or dead minnows or other bait fish, amphibians, nonpreserved fish eggs or fish roe**

No waters are designated as open to fishing with the types of bait identified above. Other types of bait may be used in accordance with state law. Subsistence fishing is allowed in accordance with 36 CFR part 13 and 50 CFR part 100.

### **2.3(d)(8) Designated areas open for fishing from motor road bridges and public boat docks**

All areas are designated as open for fishing from motor road bridges and boat docks.

### **2.4 (a)(2)(i) Carrying of weapons at designated locations and times**

Superseded by 13.19(b).

### **2.10 (a) Camping - designated sites, areas, conditions and permits**

Superseded in part by 13.18(a).

### **2.10(d) Food storage - designated areas and methods**

Throughout the park, all food (except legally taken game), food containers, garbage, harvested fish and equipment used to cook or store food must be stored in one of the following ways when not in use:

- secured within a hard sided building, or
- secured within lockable and hard sided section of a vehicle, vessel, or aircraft, or
- in a bear resistant food container, or
- cached a minimum of 100 feet from camp and suspended at least 10 feet above the ground when possible and 4 feet horizontally from a post, tree trunk, wire cable, or other object.

Note: This does not apply to:

- Clean dishes and cooking equipment that are free of food odors. We strongly recommend that these items be securely stored; but clean and odor free items are not required to be stored in secure containers.
- Food that is being transported, consumed or prepared for consumption.
- The use of bait for trapping and hunting under the provisions of state and federal law.

Storage of food below ground is prohibited.

A bear resistant section or container is securable and constructed in such a manner and of material capable of preventing access by a brown or black bear. Acceptable Bear Resistant Food Containers include:

- PVC plastic or aluminum backpacker canisters (such as those manufactured by Garcia Machine, Wild Ideas, or Purple Mountain Engineering)
- steel drums with locking rings
- modified military ammo cans or bear resistant metal panniers
- metal raft dry boxes

Unacceptable Bear Resistant Food Containers include:

- ice chests
- coolers
- tents

- dry bags or stuff sacks
- plastic packing boxes (Totes, Action Packers, etc.)
- hard or soft shelled kayaks with standard hatch covers

*The intent of these designations is to prevent bears and other wildlife from obtaining and habituating to food and garbage, thus protecting wildlife and park visitors alike.*

## **2.11 Picnicking - designated areas**

Superseded by 13.18(b).

## **2.13(a)(1) Fires - Designated areas and conditions**

Campfires are authorized in all areas of the park without a permit. All trash (tin foil, burnt food, glass and cans) must be removed from the fire site after use.

*This requirement is intended to ensure that all trash is removed from campsites.*

## **2.14(a)(2) Sanitation and refuse - using government receptacles**

No conditions established at present. Dumping commercial, household, or industrial refuse, brought in from private or municipal property, in government receptacles is prohibited.

## **2.14(a)(5) Sanitation - designated areas for bathing and washing**

Bathing is permitted in Serpentine Hot Springs. Soap and gray water may not be discharged in either the Hot Springs or Hot Creek.

Unless otherwise allowed by the Superintendent, bathing and washing of cooking utensils, food and other property at all public water outlets, fixtures, or pools is prohibited.

## **2.14(a)(7) Sanitation- designated areas for disposal of fish remains**

No designated areas at present. Fish remains may not be disposed of on either land or water within 200 feet of public boat docks or designated swimming beaches.

## **2.14(a)(8) Sanitation - human waste in developed areas**

Human waste must be disposed of in public restrooms and outhouses where available.

## **2.14(a)(9) Sanitation - designated areas for disposal of human waste in undeveloped areas**

If an outhouse is not available, human waste will either be removed as trash or disposed of on the ground surface at least 100 feet from a water source. Burying human waste is prohibited.

*This requirement is intended to ensure that proper disposal of human waste occurs in order to protect archeological sites, water quality and visitor safety.*

**2.14(b) Sanitation- conditions concerning disposal, carrying out of human waste**

Toilet paper will either be burned or carried out as trash.

**2.15(a)(3), (a)(5), (b), (e) Pets**

This regulation section contains restrictions, such as pets must be leashed or physically restrained, and therefore there are no additional conditions.

**2.16 (a)-(c) Horses and pack animals**

Superseded by 43 CFR 36.11(e).

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

**2.17(a)(1) Aircraft operation**

Superseded by 43 CFR 36.11(f)(1).

Access for subsistence purposes under 36 CFR 13.45 supersedes this section.

**2.17(a)(2) Aircraft operation near docks, piers, swimming beaches and other designated areas**

No areas prohibited at present.

**2.17(c)(1) Removal of downed aircraft**

Superseded by 43 CFR 36.11(f)(3)(ii).

**2.18(c) Snowmobiles-designated areas for use**

No areas are designated for snow machine use.

Superseded in part by 43 CFR 36.11(c) Special access

Superseded by 36 CFR 13.46(a) for subsistence uses.

**2.19(a) Winter activities-designated areas**

This section does not apply.

**2.20 Skating and skateboards**

Superseded by 43 CFR 36.11(e).

**2.21 Smoking**

All park offices and visitor facilities are closed to smoking. Smoking is prohibited within 100 feet of the park fuel and aviation gas storage facility.

*These restrictions are intended to protect public safety from fire or explosion around fuel storage and dispensing facilities.*

**2.22 Property - leaving property unattended for 24 hours**

Superseded by 13.22.

**2.35(a)(3)(i) Alcoholic beverages - areas closed to consumption**

No restrictions at present.

**2.38(b) Explosives - areas designated for using fireworks**

No areas designated for use of fireworks. Fireworks are prohibited.

**2.51(e) Public assemblies/meetings - designated areas**

All areas are open to public assemblies with a permit from the superintendent.

*The permit requirement is intended to ensure assemblies can occur, but with minimal impact on park visitors and activities.*

**2.52(e) Sale and distribution of printed matter-areas designated for such use**

All areas are open to distribution with a permit from the superintendent.

*The permit requirement allows sale or distribution of printed matter with minimal impact on park visitors and activities.*

**2.60(a)(3) Designated areas for grazing**

Grazing of pack or saddle animals by private parties, not to exceed 14 days, is authorized without a permit within the Monument, Park, and Preserve. Reindeer grazing is authorized in Bering Land Bridge National Preserve under 36 CFR 2.60(a)(1), 16 USC 410hh, and 25 USC 500 pursuant to a permit from the Superintendent.

*These restrictions seek to lessen the impact of extended camps on vegetation.*

**2.62(b) Memorialization-designation of areas for scattering ashes**

All areas of the park are open to scattering of ashes without a permit.

**PART 3. BOATING AND WATER USE ACTIVITIES**

**3.3 Permits**

No permits required at present.

**3.6(i) Boating, prohibited operations - designated launching areas**

All areas are open to launching of boats.

**3.6(j) Operating a vessel not directly accessible by road**

Superseded by 43 CFR 36.11(d).

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

**3.6(k) Launching or operating airboats**

Superseded by 43 CFR 36.11(d)

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

**3.6(l) Operating a vessel in excess of designated size**

No maximum size designations at present.

**3.20(a) Water skiing-designated waters**

All waters are designated as open.

**3.21(a)(1) Swimming and bathing-areas designated as closed**

All areas are open to swimming.

**3.23(a) SCUBA and snorkeling - designated conditions in swimming areas, docks, etc.**

No conditions established at present.

**PART 4. VEHICLES AND TRAFFIC SAFETY**

**4.10 Travel on park roads and designated routes-areas designated for off-road use in Preserves**

No routes or areas designated for the use of ORVs at present. See also 43 CFR 36.10, 36.11(c), (g)).

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

ORV access for reindeer grazing in Bering Land Bridge National Preserve under 13.61(a) supersedes this section.

**4.11(a) Load weight and size limits - permit requirements and restrictive conditions**

No restrictions at present.

**4.21(b), (c) Speed limits-designation of a different speed limit**

No designations necessary at present.

**4.30(a) Bicycles-closed areas**

Superseded by 43 CFR 36.11(e).

**4.30(d)(1) Wilderness closed to bicycle use**

Superseded by 43 CFR 36.11(e).

**4.31 Hitchhiking-designated areas**

All areas of the park are open to hitchhiking.

**PART 5. COMMERCIAL AND PRIVATE OPERATIONS**

**5.7 Construction of buildings, roads, trails, airstrips, or other facilities**

Maintenance of established landing strips utilizing non-motorized hand tools is not considered construction or repair and no permit is required. Any other construction requires a permit.

## **PART 13. ALASKA REGULATIONS**

### **SUBPART A – PUBLIC USE AND RECREATION**

#### **13.17(d)(8)(ii), (iv) Established conditions for removal of cabin for which a cabin permit has been denied, expired, or revoked**

No conditions established at present (may require access permit).

#### **13.17(e)(4)(i) Designated existing cabins, shelters or temporary facilities that may be shared for subsistence use without a permit**

No designations at present. Subsistence uses of these facilities requires a permit from the superintendent.

#### **13.17(e)(4)(vi) Established conditions and standards governing the use and construction of temporary structures and facilities, published annually**

No conditions or standards established.

#### **13.17(e)(5)(i) Designated cabins or other structures for general public use**

No cabins or other structures designated for public use at present.

#### **13.17(e)(5)(ii) Established conditions and allocation system to manage the use of designated public use cabins**

No restrictions at present.

#### **13.17(e)(7)(iv)(B) Established conditions for removal of temporary facility (more than 14 days)**

Individuals must remove facility, all personal property, and return the site to its natural condition.

*These conditions are intended to protect the park from impacts to vegetation and soil and to ensure that personal items are not left in the park.*

#### **13.18(a) Restricted areas for camping**

Areas temporarily restricted or closed to camping will be listed under 13.30(d)(2).

#### **13.18(b) Picnicking-areas where prohibited by posted signs**

No restrictions at present.

#### **13.19(b) Carrying firearms**

Temporary restrictions will be listed under 13.30(d)(2).

#### **13.20(d) Preservation of natural features**

There are no additional restrictions.

#### **13.22(c) Designate areas where personal property may not be left unattended for any time period, limits on amounts and types, manner in which property is stored**



- All caches must be labeled with the name of the owner, home address, telephone number, and date that the cache was established. If the cache contains fuel, the type of fuel must be noted. Unlabeled caches may be removed or impounded.
- Caches left for more than 4 months will be considered abandoned and may be removed or impounded by Park Rangers.
- All caches must be secured in such a manner that wildlife is unable to access the cache contents.
- Fuel caches will be limited to no more than 30 gallons per registered owner, in each cache location.
- Fuel caches will be stored at least 100 feet from any water source, gravel bar, or flood plain. Fuel must be contained in a UL approved steel fuel container and placed on impervious material in such a manner that any spillage would be contained and prevented from coming into contact with water, soil or vegetation.
- A Special Use Permit may be obtained from the Superintendent for unique or special circumstances different from above. All such requests must be made in writing to the Superintendent at P.O. Box 1029 Kotzebue, AK 99752.

*Unlabeled or undated caches are an indication that the owner has no intention of returning or retrieving the property. Experience indicates that caches older than 4 months are usually abandoned. Unlabeled fuel is of questionable use since fuel deteriorates with age. Fuel caches require special containers and handling because fuel spills can contaminate soil and water. Fluctuating river levels and unstable stream banks make streamside, gravel bar, and flood plain cache locations unsuitable.*

**13.30(d)(1) Temporary closures and restrictions relating to the use of aircraft, motorboats, and non-motorized surface transportation or to the taking of fish and wildlife**

No closures or restrictions at present.

**13.30(d)(2) Temporary closures and restrictions (other)**

No closures or restrictions at present.

**SUBPART B – SUBSISTENCE**

**13.49(a)(1) May permit cutting in accordance with specifications of permit for subsistence timber harvest (house logs & firewood)**

Subsistence green wood harvest policy pending.

**13.49(a)(2) Restrictions on cutting of live timber less than 3" in diameter for subsistence purposes**

No restrictions at present.

## **SUBPART C – SPECIAL REGULATION, SPECIFIC PARK AREAS**

### **13.61(a) ORV use in Bering Land Bridge National Preserve for reindeer grazing**

ORVs are allowed pursuant to a permit for the purpose of grazing reindeer.

### **13.69(a)(2) Customary trade of handicraft articles made from plant materials**

Handicraft articles made from plant material taken by local rural residents of the park area is permitted.

## **43 CFR, PART 36 TRANSPORTATION AND UTILITY SYSTEMS (Access Regulations)**

### **36.11(c) Temporary closures or restrictions on the use of snowmachines for traditional activities**

No closures or restrictions at present.

### **36.11(d) Temporary closures or restrictions on use of motorboats**

No closures or restrictions at present.

### **36.11(e) Temporary closures or restrictions on use of non-motorized surface transportation**

No closures or restrictions at present.

### **36.11(f)(1) Temporary closures or restrictions on landing areas for fixed-wing aircraft**

No closures or restrictions at present.

### **36.11(f)(3)(ii) Established procedure for salvaging and removing downed aircraft.**

A permit is required from the superintendent before downed aircraft may be salvaged and removed from the park; violation of the terms and conditions of the permit is prohibited.

*This requirement allows the superintendent to establish terms and conditions for salvage operations as necessary to protect resources, provide for public safety, and minimize impacts on visitors.*

### **36.11(g)(1) Use of off-road vehicles (ORV) on designated routes**

No designated routes at present.

**This compendium is approved and rescinds all previous compendiums issued for Western Arctic National Parklands.**

**David W. Spirtes /s/  
Superintendent**

**March 21, 2003  
Date:**

---